

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael Anthony Pugel; Douglas Edward Lankford;
John Joseph Curtis; Keith Reynolds Wehmeyer;
Mike Arthur Derrenberger; Terry Wayne Lockridge;
Andrew Eric Bowyer

Serial No. : 10/549,258

Int'l Appln. No. : PCT/US04/07199

Int'l Filing Date : 09 March 2004

For : APPARATUS AND METHOD FOR DISTRIBUTING SIGNALS
BY DOWN-CONVERTING TO VACANT CHANNELS

RECEIVED

27 JUL 2006

Legal Staff
International Division

ATTENTION: PCT RECEIVING OFFICE

FILING OF MISSING REQUIREMENTS OF APPLICATION -
RESPONSE TO NOTICE TO FILE MISSING PARTS

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attn: Examiner Bryan Tung, PCT Legal Office

Sir:

This is further to the telephone conversation between Ms. Davida Fornarotto (Paralegal) and the Examiner Bryan Tung on July 27, 2006, concerning the Communication stamped with the date of June 6, 2006, relating to the above-identified application. Applicants hereby submit a complete copy of the Declaration, as requested.

Please charge the following fees to Deposit Account No. 07-0832:

1) A surcharge of \$130.00 required under 37 CFR 1.497(a) and (b) for filing the Declaration on a date later than the appropriate 30 months from the priority date (37 CFR 1.492(e)).

Please charge any additional fees and credit any overpayments to Deposit Account No. 07-0832. A duplicate copy of this letter is enclosed for use in charging the deposit account.

Respectfully submitted,
Michael Anthony Pugel
Douglas Edward Lankford
John Joseph Curtis
Keith Reynolds Wehmeyer
Mike Arthur Derrenberger
Terry Wayne Lockridge
Andrew Eric Bowyer

Catherine A. Ferguson
Catherine A. Ferguson
Registration No. 40,877
609/734-6440

THOMSON Licensing Inc.
PO Box 5312
Princeton, NJ 08543-5312
DATE: July 27, 2006
(Letter In Duplicate)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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PTO/SB/01 (10-00)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☐ Declaration
Submitted
With Initial
Filing

OR

☒ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number PU040067

First Named Inventor Michael Anthony Pugel
et al.

COMPLETE IF KNOWN

Application Number /

Filing Date

Group Art Unit

Examiner Name

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

APPARATUS AND METHOD FOR DISTRIBUTING SIGNALS

the specification of which (Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number

and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Country	Priority Not Claimed	Certified Copy Attached?	
					YES	NO
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)
60/453,491	03/11/2003
60/453,763	03/11/2003

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[Page 1 of 4]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☒ Customer Number or Bar Code Label 2498 OR ☐ Correspondence address below

Name **JOSEPH S. TRIPOLI**
Address **Thomson Licensing Inc.**
Address **PO Box 5312**
City **PRINCETON** State **NJ** ZIP **08543-5312**
Country **USA** Telephone **609-734-6813** Fax **609-734-6888**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name **MICHAEL ANTHONY** Family Name or Surname **PUGEL**
Inventor's Signature *Michael Anthony Pugel* Date **6-23-04**
Residence: City **NOBLESVILLE** State **INDIANA** Country **US** Citizenship **US**

Mailing Address **20925 Creek Road**
City **Noblesville** State **Indiana** ZIP **46060** Country **US**

NAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name **DOUGLAS EDWARD** Family Name or Surname **LANKFORD**
Inventor's Signature *Douglas Edward Lankford* Date **6-29-04**
Residence: City **CARMEL** State **INDIANA** Country **US** Citizenship **US**

Mailing Address **5256 Cheyenne Moon**
City **Carmel** State **Indiana** ZIP **46033** Country **US**

☒ Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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DECLARATION

ADDITIONAL INVENTOR(S)

Supplemental Sheet

Page 1 of 2

Name of Additional Inventor, if any				<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))				Family Name or Surname	
JOHN JOSEPH				CURTIS, JR.	
Inventor's Signature		<i>John Joseph Curtis Jr.</i>		Date 6/23/04	
Residence: City	NOBLESVILLE	State	INDIANA	Country	US
Citizenship US					
Mailing Address					
121 Scarborough Circle					
City	Noblesville	State	Indiana	ZIP	46060
				Country	US
Name of Additional Inventor, if any				<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))				Family Name or Surname	
KEITH REYNOLDS				WEHMEYER	
Inventor's Signature		<i>Keith Reynolds Wehmer</i>		Date 7/2/04	
Residence: City	FISHERS	State	INDIANA	Country	US
Citizenship US					
Mailing Address					
6411 Columba Circle					
City	Fishers	State	Indiana	Zip	46038
				Country	US
Name of Additional Inventor, if any				<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))				Family Name or Surname	
MIKE ARTHUR				DERRENBARGER	
Inventor's Signature		<i>Mike Arthur Derrenbarger</i>		Date 6/25/2004	
Residence: City	FISHERS	State	INDIANA	Country	US
Citizenship US					
Mailing Address					
11721 River Ridge Drive					
City	Fishers	State	Indiana	Zip	46038
				Country	US

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

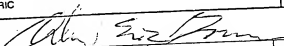
If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

DECLARATION

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Page 2 of 2

Name of Additional Inventor, if any				<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])				Family Name or Surname	
TERRY WAYNE				LOCKRIDGE	
Inventor's Signature				Date	
Residence: City DAYTON		State OHIO		Country US	
Mailing Address					
Mailing Address 5478 Grantland Drive					
City Dayton		State Ohio		ZIP 45429	
Country US		Citizenship US			
Name of Additional Inventor, if any				<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])				Family Name or Surname	
ANDREW ERIC				BOWYER	
Inventor's Signature 				Date 6/24/04	
Residence: City INDIANAPOLIS		State INDIANA		Country US	
Mailing Address					
Mailing Address 8767 Shelbyville Road					
City Indianapolis		State Indiana		ZIP 46259	
Country US		Citizenship US			
Name of Additional Inventor, if any				<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])				Family Name or Surname	
Inventor's Signature				Date	
Residence: City		State		Country	
Mailing Address					
Mailing Address					
City		State		ZIP	
Country		Citizenship			

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted With Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Attorney Docket Number	PU040067
	First Named Inventor	Michael Anthony Pugel et al.
	COMPLETE IF KNOWN	
	Application Number	/
	Filing Date	
	Group Art Unit	
Examiner Name		

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

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APPARATUS AND METHOD FOR DISTRIBUTING SIGNALS

(Title of the Invention)

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☐ is attached hereto

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I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Country	Priority Not Claimed	Certified Copy Attached?	
					YES	NO
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Name JOSEPH S. TRIPOLI					
Address Thomson Licensing Inc.					
Address PO Box 5312					
City PRINCETON			State NJ		ZIP 08543-5312
Country USA		Telephone 609-734-6813		Fax 609-734-6888	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>					
NAME OF SOLE OR FIRST INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name MICHAEL ANTHONY		Family Name PUGEL or Surname			
Inventor's Signature					Date
Residence: City NOBLESVILLE		State INDIANA		Country US	Citizenship US
Mailing Address					
Mailing Address 20925 Creek Road					
City Noblesville		State Indiana		ZIP 46060	Country US
NAME OF SECOND INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name DOUGLAS EDWARD		Family Name LANKFORD or Surname			
Inventor's Signature					Date
Residence: City CARMEL		State INDIANA		Country US	Citizenship US
Mailing Address					
Mailing Address 5256 Cheyenne Moon					
City Carmel		State Indiana		ZIP 46033	Country US
<input checked="" type="checkbox"/> Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.					

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JOHN JOSEPH				CURTIS	
Inventor's Signature				Date	
Residence: City	NOBLESVILLE	State	INDIANA	Country	US
Citizenship US					
Mailing Address					
Mailing Address 121 Scarborough Circle					
City	Noblesville	State	Indiana	Zip	46060
				Country	US
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KEITH REYNOLDS				WEHMEYER	
Inventor's Signature				Date	
Residence: City	FISHERS	State	INDIANA	Country	US
Citizenship US					
Mailing Address					
Mailing Address 6411 Columbia Circle					
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Inventor's Signature				Date	
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Citizenship US					
Mailing Address					
Mailing Address 11721 River Ridge Drive					
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Inventor's Signature <i>x Terry Wayne Lockridge</i>		Date <i>6/25/04</i>	
Residence: City DAYTON	State OHIO	Country US	Citizenship US
Mailing Address			
Mailing Address 5478 Grantland Drive			
City Dayton	State Ohio	ZIP 45429	Country US
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Residence: City INDIANAPOLIS	State INDIANA	Country US	Citizenship US
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Mailing Address 8767 Shelbyville Road			
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Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
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